

is legally responsible for the care of the child cannot be located within the twenty-four hour period or a placement in accordance with this section is unavailable, the provisions of section 232.79 shall apply. If the person with whom the child is placed charges a fee for the care of the child, the fee shall be paid from funds provided in the appropriation to the department for protective child care.

Approved April 30, 1990

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## CHAPTER 1216

### SCHEDULED FINES

*S.F. 2349*

**AN ACT** relating to scheduled fines and court procedures for certain violations of snowmobile and all-terrain vehicle regulations, game and fish regulations, and parks.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 805.8, subsection 4, paragraph a, Code Supplement 1989, is amended to read as follows:

a. For registration and identification violations under sections section 321G.3 and 321G.5, the scheduled fine is five twenty dollars. When the scheduled fine is paid, the violator shall submit sufficient proof that a valid registration has been obtained.

Sec. 2. Section 805.8, subsection 4, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. For identification violations under section 321G.5, the scheduled fine is ten dollars.

Sec. 3. Section 805.8, subsection 5, Code 1989, is amended by striking the subsection and inserting in lieu thereof the following:

5. Fish and game law violations.

a. For violations of section 110B.2, the scheduled fine is ten dollars.

b. For violations of sections 109.54, 109.69, 109.71, 109.72, 109B.6, 110.3, 110.6, 110.19, and 110.27, the scheduled fine is twenty dollars.

c. For violations of sections 109.6, 109.21, 109.22, 109.24, 109.26, 109.50, 109.56, 109.60 through 109.62, 109.82, 109.83, 109.84, 109.92, 109.123, 109B.7, 110.7, 110.8, 110.23, and 110.24, the scheduled fine is twenty-five dollars.

d. For violations of sections 109.7, 109.47, 109.52, 109.53, 109.55, 109.58, 109.63, 109.64, 109.76, 109.81, 109.90, 109.91, 109.97, 109.122, 109.126, 109B.8, and 110.37, the scheduled fine is fifty dollars.

e. For violations of sections 109.85, 109.93, 109.95, 109.120, 109A.5, 109B.3, and 109B.9, the scheduled fine is one hundred dollars.

f. For violations of section 109.38 relating to the taking, pursuing, killing, trapping or ensnaring, buying, selling, possessing, or transporting any game, protected nongame animals, furbearing animals, or fur or skin of the animals, mussels, frogs, or fish or part of them, the scheduled fines are as follows:

(1) For deer or turkey, the scheduled fine is one hundred dollars.

(2) For protected nongame, the scheduled fine is one hundred dollars.

(3) For mussels, frogs, spawn, or fish, the scheduled fine is twenty-five dollars.

(4) Other game, the scheduled fine is fifty dollars.

(5) For furbearing animals, the scheduled fine is seventy-five dollars.

g. For violations of section 109.38 relating to an attempt to take, pursue, kill, trap, buy, sell, possess, or transport any game, protected nongame animals, furbearing animals, or fur or skin of the animals, mussels, frogs, or fish or part of them, the scheduled fines are as follows:

- (1) For game or furbearing animals, the scheduled fine is fifty dollars.
- (2) For protected nongame, the scheduled fine is fifty dollars.
- (3) For mussels, frogs, spawn, or fish, the scheduled fine is ten dollars.

h. For violations of section 109.48 relating to restrictions on game birds and animals, the scheduled fines are as follows:

- (1) Out-of-season, the scheduled fine is one hundred dollars.
- (2) Over limit, the scheduled fine is one hundred dollars.
- (3) Attempt to take, the scheduled fine is fifty dollars.
- (4) General waterfowl restrictions, the scheduled fine is fifty dollars.
  - (a) No federal stamp, the scheduled fine is fifty dollars.
  - (b) Unplugged shotgun, the scheduled fine is ten dollars.
  - (c) Possession of other than steel shot, the scheduled fine is twenty-five dollars.
  - (d) Early or late shooting, the scheduled fine is twenty-five dollars.

i. For violations of section 109.67 relating to general violations of fishing laws, the scheduled fine is twenty-five dollars.

- (1) For over limit catch, the scheduled fine is thirty dollars.
- (2) For under minimum length or weight, the scheduled fine is twenty dollars.
- (3) For out-of-season fishing, the scheduled fine is fifty dollars.

j. For violations of section 109.73 relating to trotlines and throwlines:

- (1) For trotline or throwline violations in legal waters, the scheduled fine is twenty-five dollars.
- (2) For trotline or throwline violations in illegal waters, the scheduled fine is fifty dollars.

k. For violations of section 109.80 relating to minnows:

- (1) For general minnow violations, the scheduled fine is twenty-five dollars.
- (2) For commercial purposes, the scheduled fine is fifty dollars.

l. For violations of section 109.87 relating to the taking or possessing of furbearing animals out of season:

- (1) For red fox, gray fox, or mink, the scheduled fine is one hundred dollars.
- (2) For all other furbearers, the scheduled fine is fifty dollars.

m. For violations of section 109B.4 relating to gear tags:

- (1) For commercial license violations, the scheduled fine is one hundred dollars.
- (2) For no gear tags, the scheduled fine is twenty-five dollars.

n. For violations of section 109B.11 relating to turtles:

- (1) For commercial turtle violations, the scheduled fine is one hundred dollars.
- (2) For sport turtle violations, the scheduled fine is fifty dollars.

o. For violations of section 109B.12 relating to mussels:

- (1) For commercial mussel violations, the scheduled fine is one hundred dollars.
- (2) For sport mussel violations, the scheduled fine is fifty dollars.

p. For violations of section 110.1 relating to licenses and permits, the scheduled fines are as follows:

- (1) For a license or permit costing ten dollars or less, the scheduled fine is twenty dollars.
- (2) For a license or permit costing more than ten dollars but not more than twenty dollars, the scheduled fine is thirty dollars.
- (3) For a license or permit costing more than twenty dollars but not more than forty dollars, the scheduled fine is fifty dollars.
- (4) For a license or permit costing more than forty dollars but not more than fifty dollars, the scheduled fine is seventy dollars.
- (5) For a license or permit costing more than fifty dollars, the scheduled fine is one hundred dollars.

q. For violations of section 110.26 relating to false claims for licenses:

- (1) For making a false claim for a license by a resident, the scheduled fine is fifty dollars.

(2) For making a false claim for a license by a nonresident, the scheduled fine is one hundred dollars.

r. For violations of section 110.36 relating to the conveyance of guns:

(1) For conveying an assembled, unloaded gun, the scheduled fine is twenty-five dollars.

(2) For conveying a loaded gun, the scheduled fine is fifty dollars.

Sec. 4. Section 805.8, subsection 6, Code 1989, is amended by adding the following new paragraphs:

NEW PARAGRAPH. c. For violations of section 111.44, the scheduled fine is fifty dollars.

NEW PARAGRAPH. d. For violations of section 111.48, the scheduled fine is twenty-five dollars.

Sec. 5. Section 805.10, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 3. When the violation charged involves the taking of an animal for which there is a civil damage assessment in addition to a criminal penalty.

Sec. 6. Section 109.6, Code 1989, is amended to read as follows:

109.6 GAME MANAGEMENT AREA.

The commission may establish a game management area upon any public lands or waters, or with the consent of the owner thereof upon any private lands or waters, when necessary to maintain a biological balance as provided in section 109.39 or to provide for public hunting, fishing, or trapping in conformity with sound wildlife management; and when a game management area is established, the commission shall with the consent of ~~such~~ the owner, if any, have the right to post and prohibit, and to regulate or limit ~~such~~ the lands or waters against trespassing, hunting, fishing, or trapping, and any violation thereof shall be of the regulations is unlawful and punishable as provided in section 109.32.

Sec. 7. Section 109.22, unnumbered paragraph 7, Code 1989, is amended by striking the unnumbered paragraph.

Sec. 8. Section 110.26, Code 1989, is amended to read as follows:

110.26 FALSE CLAIMS.

A nonresident shall not obtain a resident license by falsely claiming residency in the state. The presumptions and provisions of section 321.1A, relating to residency shall apply to licenses under this chapter. The use of a license by a person other than the person to whom the license is issued is unlawful and shall nullify nullifies the license. A resident or nonresident who violates this section is guilty of a simple misdemeanor.

Approved April 30, 1990

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**CHAPTER 1217**  
SCHOOL REORGANIZATION INCENTIVES  
*H.F. 2357*

**AN ACT** relating to the applicability of school district reorganization incentives and providing an effective date and a retroactive applicability date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 442.2, subsection 1, unnumbered paragraph 3, Code Supplement 1989, is amended to read as follows:

For purposes of this section, a reorganized school district is one which absorbed at least thirty percent of the enrollment of the school district affected by a reorganization or dissolved